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# A BILL FOR AN ACT

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RELATING TO TATTOOING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

SECTION 1. Section 321-374, Hawaii Revised Statutes, is amended to read as follows:

**"§321-374 License required; exemptions.** (a) Except as otherwise provided by law, no person shall practice the occupation of tattoo artist in this ~~[State]~~ state either gratuitously or for pay, or shall announce oneself either publicly or privately as prepared or qualified to practice that occupation without having a valid unrevoked license to do so.

(b) Physicians holding a valid unrevoked license under chapter 453 or 460 are exempt from the requirements of this part.

(c) A person deemed by the department to be a kahuna ka kakau shall be exempt from the requirements of this part.

The department shall consult with experts in the practice and application of traditional Hawaiian tattooing who have achieved the title of kahuna ka kakau to develop and implement policies to identify and define best practices for traditional Hawaiian tattooing.



"Kahuna ka kakau" means an expert in the cultural practice  
and application of traditional Hawaiian tattooing.

"Traditional Hawaiian tattooing" means a procedure by which  
an indelible mark or figure is fixed upon the body by insertion  
of pigment under the skin or by production of scars, where the  
basic procedures and equipment used are derived from ancient  
Hawaiian tradition and practice."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

HB HMS 2008-1338



JAN 22 2008

**Report Title:**

Traditional Hawaiian Tattooing

**Description:**

Exempts experts in the practice of Kakau, traditional Hawaiian tattooing, from current tattoo licensure laws and directs the Department of Health to work with Kahuna ka kakau to develop best practices for traditional Hawaiian tattooing.

